

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-2 and 5-13 are now pending in this application, claims 3-4 having been cancelled by this present Amendment. Claims 1-3 stand rejected. Claims 9-13 are allowed. Claims 4-8 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form.

In view of the indication of allowable subject matter in claims 4-8, claims 1 and 6 have been amended to place this application in condition for allowance. More particularly, claim 1 has been amended to include the features of allowable claim 4 and intervening claim 3. Accordingly, claim 1 should now be in condition for allowance. Further, allowable claim 6 was rewritten in independent form to include the features of base claim 1 and intervening claim 3. Accordingly, claim 6 should also be in condition for allowance.

Further, claim 5, which previously depended from claim 4, has been amended to depend from claim 1. Therefore, claim 5 should also be in condition for allowance by virtue of its dependency on claim 1. Finally, claims 7 and 8 should be allowable by virtue of their dependency on allowable claim 6.

In view of the amendments to the claims discussed above, each of claims 1-2 and 5-13 should now be in condition for allowance.

Rejections in View of the Prior Art

Claims 1 and 3 were rejected under 35 U.S.C. §102(b) as being anticipated by **Baxter** (USP 5,029,015, previously cited). Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over **Baxter** in view of **Byers et al.** (USP 5,943,467, previously cited).

In view of amendment to claim 1 to place claim 1 in condition for allowance and the cancellation of claim 3, it is submitted that the rejections of claims 1-3 in view of the prior art are rendered moot. Reconsideration and withdrawal of the rejections under §102 and §103 are respectfully requested.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

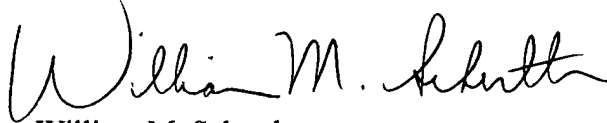
Application No. 09/649,594
Art Unit: 2616

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 001090

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, reading "William M. Schertler". The signature is fluid and cursive, with the first name "William" being the most prominent.

William M. Schertler
Attorney for Applicants
Registration No. 35,348
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

WMS/dlt